IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.679 OF 1995

M/s.Hero Hond Moters Ltd. .. Petitioner.

V/s.

Union of India & Others .. Respondents.

Mr.V.S. Nankani i/b. M.G. Gawde for the petitioner.

Mr.A.C. Singh with Mr.H.V. Mehta for the respondents.

CORAM : S. RADHAKRISHNAN &
J.P. DEVADHAR, JJ.

DATED : 19TH JANUARY, 2005.

P.C. :

1. Heard learned counsel for the petitioner and the learned counsel for the respondents. We also perused the affidavit in reply dated 28th August, 2003.

2. The learned counsel for the respondents states that the CEGAT had upheld the order passed by the Commissioner of Customs (Appeals) by the order dated 8th December, 1994. Thereafter, it appears that the department has preferred Special Leave Petition before the Supreme Court against the order of the CEGAT dated 8th December, 1994 wherein the

department did not press the Special Leave Petition and the petition was dismissed.

3. Under these circumstances, rule is made absolute in terms of prayer clause (c).

(S. RADHAKRISHNAN, J.)

(J.P. DEVADHAR, J.)